

FILED

JUN 27 2014

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DANIEL GEORGE PENA,

Petitioner,

v.

J. SOTO, Warden,

Respondent.

No. C 14-02195 BLF (PR)

ORDER GRANTING EXTENSION
OF TIME TO FILE COMPLETE *IN*
FORMA PAUPERIS APPLICATION

On May 13, 2014, Petitioner, a state prisoner proceeding *pro se*, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day, the Clerk sent Petitioner a notice that his In Forma Pauperis (“IFP”) Application was deficient because he failed to attach the following supporting documents: (1) a Certificate of Funds in Prisoner’s Account completed and signed by an authorized prison official; and (2) a copy of his prisoner trust account statement showing transactions for the last six months. (Docket No. 4.) Petitioner was directed to file a response within twenty-eight days of the notice to avoid dismissal of the action. (*Id.*)

On June 4, 2014, Petitioner filed a form entitled “Inmate/Parolee Request for Interview, Item or Service” which is directed to the Trust Office and requests the two documents necessary to complete his IFP application. (Docket No. 5.) However, it does

1 not appear that Petitioner actually filed this form with the appropriate prison office, and
2 the Court has not received any further documents in this action.

3 In the interest of justice, the Court will grant Petitioner an extension of time to
4 resolve the matter of the filing fee in order to proceed with this action. Petitioner must
5 either file the necessary documents to complete his IFP application or pay the \$5.00 filing
6 fee **no later than twenty-eight (28) days** from the date this order is filed.

7 **Failure to file a response in accordance with this order in the time provided**
8 **will result in the dismissal of this action without further notice to Petitioner.**

9 **IT IS SO ORDERED.**

10
11 DATED: June 27, 2014

BETH LABSON FREEMAN
United States District Judge